

Senate Chamber, Atlanta, Georgia  
Wednesday, March 15, 2006  
Thirty-second Legislative Day

The Senate met pursuant to adjournment at 10:00 a.m. today and was called to order by the President.

Senator Stephens of the 27th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Rivers, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following Bills of the House:

HB 1583. By Representative Sims of the 169th:

A BILL to be entitled an Act to provide for the employment of marshals in Coffee County; to provide for the appointment, duties, and term of such marshals; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1584. By Representatives Smith of the 113th and Holt of the 112th:

A BILL to be entitled an Act to create the Morgan County Building Authority; to provide for a short title and legislative findings; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, and compensation; to provide for vacancies, organization, meetings, and expenses; to provide for definitions; to provide for revenue bonds and their negotiability, sale, and use of proceeds from such sales; to provide for conditions for issuance; to prohibit the pledge of credit for the payment of bonds; to provide for trust indentures and a sinking fund; to provide for payment of bond proceeds; to provide for

liberal construction; to provide for severability; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1586. By Representatives Keen of the 179th, Lane of the 167th and Hill of the 180th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Brunswick, approved April 4, 1991 (Ga. L. 1991, p. 3911), as amended, so as to change certain provisions relating to nomination of candidates; to provide for submission for preclearance under the federal Voting Rights Act of 1965, as amended; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1591. By Representatives Hill of the 21st, Byrd of the 20th and Murphy of the 23rd:

A BILL to be entitled an Act to authorize the City of Ball Ground to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1594. By Representatives Greene of the 149th and Hanner of the 148th:

A BILL to be entitled an Act to create the Lower Chattahoochee Regional Airport Authority; to provide for a short title and legislative findings; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, and compensation; to provide for vacancies, organization, meetings, and expenses; to prohibit authority employees and members from having certain interests; to provide for definitions; to provide for succession in interest to the Cuthbert-Randolph Airport Authority; to provide for revenue bonds and their form, signatures thereon, negotiability, sale, and use of proceeds from such sales; to provide for interim documents and for lost or mutilated documents; to provide for condition for issuance; to prohibit the pledge of credit for the payment of bonds; to provide for trust indentures and sinking fund; to provide for an effective date; to repeal a certain Act; to repeal conflicting laws; and for other purposes.

HB 1597. By Representatives Anderson of the 123rd, Lord of the 142nd and Burns of the 157th:

A BILL to be entitled an Act to amend an Act providing for the election of the members of the board of education of Burke County, approved March 27, 1985 (Ga. L. 1985, p. 4481), as amended, particularly by an Act approved April 6, 1996 (Ga. L. 1996, p. 3944), so as to change certain provisions regarding the compensation and expense allowance of the members of the board; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House has passed by the requisite constitutional majority the following Bills of the Senate:

SB 299. By Senator Goggans of the 7th:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Patterson in the County of Pierce, approved April 9, 1981 (Ga. L. 1981, p. 4545), as amended, so as to reduce the number of members of the city council from six to five members; to provide for the time and manner of election of the mayor and council; to provide for the terms of the mayor and council; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 387. By Senator Butler of the 55th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Clarkston ad valorem taxes for municipal purposes in the amount of \$20,000.00 of the assessed value of the homestead for residents of that city who are 65 years of age or over; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

SB 436. By Senators Grant of the 25th, Harp of the 29th, Tolleson of the 20th, Pearson of the 51st and Kemp of the 46th:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to technical and adult education, so as to change certain provisions relating to meetings of the State Board of Technical and Adult Education; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 381. By Senators Harp of the 29th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Article 1 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state and other flags, so as to provide state flags to honor Georgia public safety officers who are killed in the line of duty or who died following extended service to the public of this state; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 680. By Senator Bulloch of the 11th:

A BILL to be entitled an Act to amend an Act relating to the board of commissioners of Decatur County, approved March 4, 1935 (Ga. L. 1935, p. 630), as amended, so as to restate and revise the provisions of said Act; to provide for a comprehensive restatement; to change provisions relating to the chairperson and vice chairperson of the board and their selection, service, and powers and duties; to change provisions relating to meetings, a quorum, and voting; to modernize certain provisions and language and omit certain obsolete provisions; to provide for other related matters; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

SR 1194. By Senator Balfour of the 9th:

A RESOLUTION applauding the Association County Commissioners of Georgia and the Georgia Municipal Association and urging the Council of Local Governments to address those issues of conflict between cities and counties such as service delivery, local government revenues, and land use; and for other purposes.

Referred to the State and Local Governmental Operations (General) Committee.

SR 1195. By Senator Cagle of the 49th:

A RESOLUTION urging the Environmental Protection Division of the Georgia Department of Natural Resources to allow electric generation peaking facilities, which have the capability to fire natural gas or fuel oil and the flexibility to use either fuel throughout the year, assuring the state will benefit from the operation of these facilities when natural gas supplies have been interrupted or are otherwise highly volatile; and for other purposes.

Referred to the Natural Resources and the Environment Committee.

The following House legislation was read the first time and referred to committee:

HB 1583. By Representative Sims of the 169th:

A BILL to be entitled an Act to provide for the employment of marshals in Coffee County; to provide for the appointment, duties, and term of such marshals; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1584. By Representatives Smith of the 113th and Holt of the 112th:

A BILL to be entitled an Act to create the Morgan County Building Authority; to provide for a short title and legislative findings; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, and compensation; to provide for vacancies, organization, meetings, and expenses; to provide for definitions; to provide for revenue bonds and their negotiability, sale, and use of proceeds from such sales; to provide for conditions for issuance; to prohibit the pledge of credit for the payment of bonds; to provide for trust indentures and a sinking fund; to provide for payment of bond proceeds; to provide for liberal construction; to provide for severability; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1586. By Representatives Keen of the 179th, Lane of the 167th and Hill of the 180th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Brunswick, approved April 4, 1991 (Ga. L. 1991, p. 3911), as amended,

so as to change certain provisions relating to nomination of candidates; to provide for submission for preclearance under the federal Voting Rights Act of 1965, as amended; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1591. By Representatives Hill of the 21st, Byrd of the 20th and Murphy of the 23rd:

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Referred to the State and Local Governmental Operations Committee.

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Referred to the State and Local Governmental Operations Committee.

HB 1597. By Representatives Anderson of the 123rd, Lord of the 142nd and Burns of the 157th:

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1996 (Ga. L. 1996, p. 3944), so as to change certain provisions regarding the compensation and expense allowance of the members of the board; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

The following committee reports were read by the Secretary:

Mr. President:

The Finance Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 834	Do Pass	HB 1219	Do Pass
HB 1012	Do Pass by substitute	HB 1272	Do Pass
HB 1018	Do Pass	HB 1293	Do Pass
HB 1120	Do Pass	HB 1310	Do Pass

Respectfully submitted,  
Senator Cagle of the 49th District, Chairman

Mr. President:

The Health and Human Services Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 1066	Do Pass by substitute
HB 1092	Do Pass
HB 1112	Do Pass

Respectfully submitted,  
Senator Thomas of the 54th District, Chairman

Mr. President:

The Insurance and Labor Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 1257	Do Pass by substitute
HB 1291	Do Pass

Respectfully submitted,  
Senator Hudgens of the 47th District, Chairman

Mr. President:

The Judiciary Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 376	Do Pass	HB 1421	Do Pass by substitute
HB 692	Do Pass	HB 1496	Do Pass

Respectfully submitted,  
Senator Smith of the 52nd District, Chairman

Mr. President:

The State and Local Governmental Operations Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 950	Do Pass by substitute	HB 1529	Do Pass
HB 1348	Do Pass	HB 1530	Do Pass
HB 1435	Do Pass	HB 1531	Do Pass
HB 1523	Do Pass	HB 1532	Do Pass
HB 1524	Do Pass	HB 1533	Do Pass
HB 1525	Do Pass	HB 1534	Do Pass
HB 1526	Do Pass	HB 1554	Do Pass
HB 1527	Do Pass		

Respectfully submitted,  
Senator Wiles of the 37th District, Chairman

Mr. President:

The State Institutions and Property Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HR 1395    Do Pass

Respectfully submitted,  
Senator Grant of the 25th District, Chairman

The following legislation was read the second time:

SR 871



Senator Harbison of the 15th asked unanimous consent that Senator Jones of the 10th be excused. The consent was granted, and Senator Jones was excused.

Senator Seay of the 34th asked unanimous consent that Senator Thompson of the 33rd be excused. The consent was granted, and Senator Thompson was excused.

Senator Seay of the 34th asked unanimous consent that Senator Reed of the 35th be excused. The consent was granted, and Senator Reed was excused.

Senator Miles of the 43rd asked unanimous consent that Senator Butler of the 55th be excused. The consent was granted, and Senator Butler was excused.

Senator Schaefer of the 50th asked unanimous consent that Senator Cagle of the 49th be excused. The consent was granted, and Senator Cagle was excused.

Senator Meyer von Bremen of the 12th asked unanimous consent that Senator Henson of the 41st be excused. The consent was granted, and Senator Henson was excused.

Senator Thompson of the 5th asked unanimous consent that Senator Stoner of the 6th be excused. The consent was granted, and Senator Stoner was excused.

Senator Thompson of the 5th asked unanimous consent that Senator Golden of the 8th be excused. The consent was granted, and Senator Golden was excused.

Senator Tate of the 38th asked unanimous consent that Senator Fort of the 39th be excused. The consent was granted, and Senator Fort was excused.

Senator Weber of the 40th asked unanimous consent that Senator Tolleson of the 20th be excused. The consent was granted, and Senator Tolleson was excused.

Senator Hudgens of the 47th asked unanimous consent that Senator Harp of the 29th be excused. The consent was granted, and Senator Harp was excused.

The roll was called and the following Senators answered to their names:

Adelman	Johnson	Staton
Brown	Kemp	Stephens
Butler	Me V Bremen	Tarver
Carter	Miles	Tate
Chance	Moody	Thomas,D
Chapman	Mullis	Thomas,R
Douglas	Pearson	Thompson,C
Goggans	Powell	Unterman

Golden	Rogers	Weber
Harbison	Schaefer	Whitehead
Hill, Jack	Seabaugh	Wiles
Hill, Judson	Seay	Williams
Hooks	Smith	Zamarripa
Hudgens	Starr	

Not answering were Senators:

Balfour	Bulloch	Cagle (Excused)
Fort (Excused)	Grant	Hamrick
Harp (Excused)	Henson (Excused)	Jones (Excused)
Reed (Excused)	Shafer, D	Stoner (Excused)
Thompson, S (Excused)	Tolleson (Excused)	

Senator Shafer of the 48th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag.

Senator Smith of the 52nd introduced the chaplain of the day, Reverend Glynn Stone of Rome, Georgia, who offered scripture reading and prayer.

Senator Smith of the 52nd introduced Dr. Raymond Corpe, commended by SR 868, adopted previously. Dr. Corpe addressed the Senate briefly.

Senator Kemp of the 46th recognized Mr. Henry Huckaby, commended by SR 957, adopted previously. Mr. Huckaby addressed the Senate briefly.

Senator Whitehead of the 24th recognized the family of Army Specialist Joseph Alan Lucas, Sr., commended by SR 843, adopted previously.

Senator Harbison of the 15th introduced the doctor of the day, Dr. Elizabeth Martin.

Senator Pearson of the 51st introduced John Owen, commended by SR 1106, adopted previously.

The following resolutions were read and adopted:

SR 1186. By Senator Bulloch of the 11th:

A RESOLUTION recognizing the birth of Marx Reid Gaines IV; and for other purposes.

SR 1188. By Senator Hamrick of the 30th:

A RESOLUTION recognizing and commending the West Georgia Drug Task Force; and for other purposes.

SR 1189. By Senators Miles of the 43rd, Seay of the 34th, Thomas of the 2nd, Butler of the 55th and Brown of the 26th:

A RESOLUTION commending Ms. Jane Fonda; and for other purposes.

SR 1190. By Senators Miles of the 43rd, Jones of the 10th, Weber of the 40th and Butler of the 55th:

A RESOLUTION recognizing and commending the Columbia High School Eagles basketball team for winning the 2006 Class AAAA basketball state championship; and for other purposes.

SR 1191. By Senator Hamrick of the 30th:

A RESOLUTION recognizing and commending the Douglas County Meth Task Force on its receiving the 2005 Outstanding Leadership Award; and for other purposes.

SR 1192. By Senators Harp of the 29th and Harbison of the 15th:

A RESOLUTION recognizing March 16, 2006, as Columbus Day at the Capitol; and for other purposes.

SR 1193. By Senator Balfour of the 9th:

A RESOLUTION commending Operation One Voice and its Special Operations Forces Run; and for other purposes.

SR 1196. By Senator Heath of the 31st:

A RESOLUTION honoring and celebrating Mrs. Mary Louise Hollingshed on the grand occasion of her 80th birthday; and for other purposes.

SR 1197. By Senator Douglas of the 17th:

A RESOLUTION designating March 16, 2006, as Atlanta Motor Speedway Day at the Capitol; and for other purposes.

Senator Golden of the 8th asked unanimous consent that Senator Adelman of the 42nd be excused. The consent was granted, and Senator Adelman was excused.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

### **SENATE LOCAL CONSENT CALENDAR**

Wednesday, March 15, 2006  
Thirty-second Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 1348

Staton of the 18th  
Brown of the 26th

#### **MACON WATER COMMISSION**

A BILL to be entitled an Act to amend an Act entitled "Macon Water Commissioners Pension Plan," approved December 20, 1953 (Ga. L. 1953 November-December Session, p. 2831), as amended, particularly by an Act approved March 24, 1994 (Ga. L. 1994, p. 3946), so as to provide a severance option for persons who terminate membership in such plan; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1533

Schaefer of the 50th  
**STEPHENS COUNTY**

A BILL to be entitled an Act to amend an Act creating the Board of Commissioners of Stephens County, approved March 22, 1937 (Ga. L. 1937, p. 1415), as amended, so as to reconstitute the board of commissioners as a five-member board; to provide for definitions and inclusions; to provide for continuation in office of certain current board members; to provide for election and terms of office of subsequent members; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to provide for a referendum; to provide for automatic repeal under certain circumstances; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 1554

Schaefer of the 50th  
**CITY OF CLAYTON**

A BILL to be entitled an Act to amend an Act reincorporating the City of Clayton, approved August 17, 1909 (Ga. L. 1909, p. 600), as amended, so as to change and extend the corporate limits of said city; to repeal conflicting laws; and for other purposes.

**Pursuant to Article VII, Section II, Paragraph IV of the Constitution, the following ten local bills relating to homestead exemptions require a two-thirds roll-call vote for passage:**

HB 1523

Schaefer of the 50th  
**BANKS COUNTY**

A BILL to be entitled an Act to provide a homestead exemption from Banks County school district ad valorem taxes for educational purposes in the amount of \$20,000.00 of the assessed value of the homestead for residents of that school district who are 65 years of age or over or disabled; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1524

Schaefer of the 50th  
**BANKS COUNTY**

A BILL to be entitled an Act to provide a homestead exemption from Banks County school district ad valorem taxes for educational purposes in the amount of \$20,000.00 of the assessed value of the homestead for residents of that school district who are 62 years of age or over and whose income, excluding certain retirement income, does not exceed \$10,000.00; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1525

Schaefer of the 50th  
**BANKS COUNTY**

A BILL to be entitled an Act to provide a homestead exemption from Banks County school district ad valorem taxes for educational purposes in the amount of \$20,000.00 of the assessed value of the homestead for residents of that school district who are 65 years of age or older; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1526

Schaefer of the 50th  
**STEPHENS COUNTY**

A BILL to be entitled an Act to provide an additional homestead exemption from Stephens County ad valorem taxes for county purposes in the amount of \$25,000.00 of the assessed value of the homestead for residents of that county who are 65 years of age or over or disabled; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1527

Schaefer of the 50th  
**BANKS COUNTY**

A BILL to be entitled an Act to provide a homestead exemption from Banks County ad valorem taxes for county purposes in the amount of \$5,000.00 of the assessed value of the homestead for residents of that county who are 62 years of age or over and whose income, excluding certain retirement income, does not exceed \$10,000.00; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1529

Schaefer of the 50th  
**STEPHENS COUNTY**

A BILL to be entitled an Act to provide an additional homestead exemption from Stephens County school district ad valorem taxes for educational purposes in the amount of \$25,000.00 of the assessed value of the homestead for residents of that school district who are 65 years of age or over or disabled; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1530

Schaefer of the 50th  
**STEPHENS COUNTY**

A BILL to be entitled an Act to provide a homestead exemption from Stephens County ad valorem taxes for county purposes for residents of that county who are disabled veterans or their unremarried surviving spouses, if deceased, on a current or subsequent homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1531

Schaefer of the 50th  
**STEPHENS COUNTY**

A BILL to be entitled an Act to provide a homestead exemption from Stephens County school district ad valorem taxes for educational purposes for residents of that school district who are unremarried surviving spouses of United States service members killed in action to be received on a current or subsequent homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1532

Schaefer of the 50th  
**STEPHENS COUNTY**

A BILL to be entitled an Act to provide a homestead exemption from Stephens County ad valorem taxes for county purposes for residents of that county who are unremarried surviving spouses of United States service members killed in action to be received on a current or subsequent homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1534

Schaefer of the 50th  
**STEPHENS COUNTY**

A BILL to be entitled an Act to provide a homestead exemption from Stephens County school district ad valorem taxes for educational purposes for residents of that school district for disabled veterans or their unremarried surviving spouses, if deceased, on a current or subsequent homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Adelman  
 Balfour  
 Y Brown  
 Y Bulloch  
 Y Butler  
 Y Cagle  
 Y Carter  
 Y Chance  
 Y Chapman  
 Y Douglas  
 Y Fort  
 Y Goggans

Y Hill,Jack  
 Y Hill,Judson  
 Y Hooks  
 Y Hudgens  
 Y Johnson  
 Y Jones  
 Y Kemp  
 Y Me V Bremen  
 Y Miles  
 Y Moody  
 Y Mullis  
 Y Pearson

Y Smith  
 Y Starr  
 Y Staton  
 Y Stephens  
 E Stoner  
 Y Tarver  
 Y Tate  
 Y Thomas,D  
 Y Thomas,R  
 Y Thompson,C  
 E Thompson,S  
 Y Tolleson



Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
E Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
E Henson	Y Shafer,D	

On the passage of the local legislation, the yeas were 51, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

SENATE RULES CALENDAR  
WEDNESDAY, MARCH 15, 2006  
THIRTY-SECOND LEGISLATIVE DAY

HB 560	Ad valorem tax; county tax assessors; property valuation appeal; change certain provision (FIN-49th) Martin-47th
HB 1213	Poultry; disposal; provide (AG&CA-11th) McCall-30th
HB 543	Education; local boards; allow certain donations of sick leave (Amendment)(ED&Y-40th) Casas-103rd
HB 804	Barratry; Code section; repeal (S JUDY-12th) Ralston-7th
HB 173	Ad valorem tax; veterans organizations; exemption (Substitute)(FIN-28th) Lunsford-110th
HB 954	Public transportation; sale or exchange of tokens, transfers, transaction cards, or tickets without consent, repeal prohibition (TRANS-37th) Geisinger-48th
HB 1067	Georgia Commission on Interstate Cooperation; certain provisions; amend (I COOP-15th) Forster-3rd
HR 1425	United Services Organization; 65th anniversary; commend (V&MA-17th) Wilkinson-52nd

Respectfully submitted,

/s/ Balfour of the 9th, Chairman  
Senate Rules Committee

Senator Cagle of the 49th asked unanimous consent to engross the following legislation on today's Senate Rules Calendar:

HB 560. By Representatives Martin of the 47th, Jones of the 46th and Geisinger of the 48th:

A BILL to be entitled an Act to amend Code Section 48-5-299 of the Official Code of Georgia Annotated, relating to ascertainment of taxable property, so as to change certain provisions regarding the circumstances under which county boards of tax assessors can change the valuation of real property established on appeal; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Cagle of the 49th.

HB 173. By Representative Lunsford of the 110th:

A BILL to be entitled an Act to amend Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to property exempt from ad valorem tax, so as to expand the ad valorem exemption for veterans organizations to include certain additional nonprofit veterans organizations; to provide for a referendum, applicability, and effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Seabaugh of the 28th.

The consent was granted, and HB 560 and HB 173 were engrossed.

Senator Stephens of the 27th asked unanimous consent that Senator Tolleson of the 20th be excused. The consent was granted, and Senator Tolleson was excused.

The following legislation was read the third time and put upon its passage:

HB 560. By Representatives Martin of the 47th, Jones of the 46th and Geisinger of the 48th:

A BILL to be entitled an Act to amend Code Section 48-5-299 of the Official Code of Georgia Annotated, relating to ascertainment of taxable property, so as to change certain provisions regarding the circumstances under which county boards of tax assessors can change the valuation of real property established on appeal; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Cagle of the 49th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	E Thompson,S
Y Goggans	Y Pearson	E Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
E Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
E Henson	Y Shafer,D	

On the passage of the bill, the yeas were 52, nays 0.

HB 560, having received the requisite constitutional majority, was passed.

HB 1213. By Representatives McCall of the 30th, Roberts of the 154th, Royal of the 171st, Rogers of the 26th, Powell of the 29th and others:

A BILL to be entitled an Act to amend Part 5 of Article 1 of Chapter 4 of Title 4 of the Official Code of Georgia Annotated, relating to live poultry dealers, brokers, and market operators, so as to provide for disposal of dead poultry in accordance with methods for disposal of dead animals generally; to prohibit certain slaughter of poultry on the premises of dealers, brokers, and sales establishments; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Bulloch of the 11th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	E Thompson,S
Y Goggans	Y Pearson	E Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
E Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
E Henson	Y Shafer,D	

On the passage of the bill, the yeas were 52, nays 0.

HB 1213, having received the requisite constitutional majority, was passed.

Senator Whitehead of the 24th asked unanimous consent that Senator Grant of the 25th be excused. The consent was granted, and Senator Grant was excused.

HB 543. By Representatives Casas of the 103rd, Hembree of the 67th, Maxwell of the 17th, Chambers of the 81st and Jones of the 46th:

A BILL to be entitled an Act to amend Code Section 20-2-850 of the Official Code of Georgia Annotated, relating to sick leave for teachers and other public school personnel, so as to provide for the donation of sick leave from an employee of a local board of education to his or her spouse who is also an employee of the local board of education for certain purposes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Weber of the 40th.

The Senate Education and Youth Committee offered the following amendment to the substitute (LC 33 0841S) to HB 543:

*Amend the substitute (LC 33 0841S) to HB 543 by striking lines 10 and 11 on page 2 and inserting in lieu thereof:*

(4) A local board of education that establishes a sick leave bank pursuant to paragraph (2) of this subsection shall allow an employee of the local board to donate up to ten sick

On the adoption of the amendment, the yeas were 35, nays 0, and the committee amendment was adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	E Thompson,S
Y Goggans	Y Pearson	E Tolleson
Y Golden	Y Powell	Y Unterman
E Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
E Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
E Henson	Y Shafer,D	

On the passage of the bill, the yeas were 51, nays 0.

HB 543, having received the requisite constitutional majority, was passed as amended.

HB 804. By Representatives Ralston of the 7th and Willard of the 49th:

A BILL to be entitled an Act to amend Code Section 16-10-95 of the Official Code of Georgia Annotated, relating to barratry, so as to repeal said Code section; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Meyer von Bremen of the 12th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	N Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	E Thompson,S
Y Goggans	Y Pearson	E Tolleson
Y Golden	Y Powell	Y Unterman
E Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
E Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
E Henson	Y Shafer,D	

On the passage of the bill, the yeas were 50, nays 1.

HB 804, having received the requisite constitutional majority, was passed.

HB 173. By Representative Lunsford of the 110th:

A BILL to be entitled an Act to amend Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to property exempt from ad valorem tax, so as to expand the ad valorem exemption for veterans organizations to include certain additional nonprofit veterans organizations; to provide for a

referendum, applicability, and effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Seabaugh of the 28th.

The following Fiscal Note, as required by law, was read by the Secretary:



## **Department of Audits and Accounts**

254 Washington Street, S.W., Suite 214  
Atlanta, Georgia 30334-8400

Russell W. Hinton  
State Auditor  
(404) 656-2174

February 4, 2005

Honorable Larry O'Neal, Chairman  
House Ways and Means Committee  
State Capitol, Room 133  
Atlanta, Georgia 30334

SUBJECT: Fiscal Note  
House Bill 173 (LC 18 3893)

Dear Chairman O'Neal:

This bill would expand the exemption from both state and local ad valorem property taxes on property owned by veterans' organizations. The exemption would apply to property used "primarily for veterans purposes". Currently, only property that is owned by and used exclusively as the headquarters, post home or similar facility of a veterans' organization is exempt from the ad valorem tax. In addition, the bill revises the definition of a veterans organization to include any veterans' organization that is a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code. This bill would apply to tax years beginning January 1, 2007.

The Georgia State University Fiscal Research Center reported that the cost to the State due to the extension of this exemption is estimated to be minimal. The cost to the localities stemming from the reduction in ad valorem property taxes due to this provision would be greater in magnitude but less than \$500,000 across all localities. The localities would experience a larger impact because of the higher tax rates imposed on property by the local governments.

Sincerely,

/s/ Russell W. Hinton  
State Auditor

/s/ Timothy A. Connell, Director  
Office of Planning and Budget

The Senate Finance Committee offered the following substitute to HB 173:

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to property exempt from ad valorem tax, so as to expand the ad valorem exemption for veterans organizations to include certain additional nonprofit veterans organizations which refurbish and operate historic military aircraft for educational purposes; to provide for a referendum, applicability, and effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to property exempt from ad valorem tax, is amended by striking paragraph (14) of subsection (a) and inserting in its place a new paragraph (14) to read as follows:

"(14)(A) Property which is owned by and used exclusively as the headquarters, post home, or similar facility of a veterans organization. As used in this paragraph, the term 'veterans organization' means any organization or association chartered by the Congress of the United States which is exempt from federal income taxes but only if such organization is a post or organization of past or present members of the armed forces of the United States organized in the State of Georgia with at least 75 percent of the members of which are past or present members of the armed forces of the United States, and where no part of the net earnings of which inures to the benefit of any private shareholder or individual; or

(B) Property which is owned by and used exclusively by any veterans organization which is qualified as a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and which has been organized for the purpose of refurbishing and operating historic military aircraft acquired from the federal government and other sources, making such aircraft airworthy, and putting such aircraft on display to the public for educational purposes; and"



**SECTION 2.**

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the Secretary of State shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the State of Georgia for approval or rejection. The Secretary of State shall conduct that election on the date of the November, 2006, state-wide general election. The Secretary of State shall issue the call and conduct that special election as provided by general law. The Secretary of State shall cause the date and purpose of the special election to be published in the official organ of each county in the state once a week for two weeks immediately preceding the date of the referendum. The ballot shall have written or printed thereon the following:

- "( ) YES      Shall the Act be approved which expands the ad valorem tax exemption for veterans organizations to include certain additional  
( ) NO      nonprofit veterans organizations which refurbish and operate historic military aircraft for educational purposes?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, then Section 1 of this Act shall become effective on January 1, 2007, and shall apply to all taxable years beginning on or after that date. If Section 1 of this Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date.

**SECTION 3.**

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

**SECTION 4.**

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, the yeas were 34, nays 0, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner

Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	E Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
E Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
E Henson	Y Shafer,D	

On the passage of the bill, the yeas were 53, nays 0.

HB 173, having received the requisite constitutional majority, was passed by substitute.

HB 954. By Representatives Geisinger of the 48th, Chambers of the 81st, Lindsey of the 54th, Millar of the 79th, Franklin of the 43rd and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public transportation, so as to delete a prohibition against the sale or exchange of tokens, transfers, transaction cards, or tickets without consent; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Wiles of the 37th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Butler	Y Johnson	Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D

Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	E Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
E Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
E Henson	Y Shafer,D	

On the passage of the bill, the yeas were 49, nays 0.

HB 954, having received the requisite constitutional majority, was passed.

The following message was received from the House through Mr. Rivers, the Clerk thereof:

Mr. President:

The House has adopted by the requisite constitutional majority the following Resolution of the House:

HR 1834. By Representatives Keen of the 179th and Fleming of the 117th:

A RESOLUTION relative to adjournment; and for other purposes.

The Calendar was resumed.

HB 1067. By Representatives Forster of the 3rd, Davis of the 109th, Manning of the 32nd and Fludd of the 66th:

A BILL to be entitled an Act to amend Chapter 6 of Title 28 of the Official Code of Georgia Annotated, relating to interstate cooperation, so as to change certain provisions relating to creation and membership of the Georgia Commission on Interstate Cooperation; to provide for allowances; to change certain provisions relating to functions of the Georgia Commission on Interstate Cooperation; to change certain provisions relating to a declaration that the Council of State Governments, Council of State Governments–Clairmont Road, L.L.C., and Southern Legislative Conference are joint governmental agencies of this state; to provide that certain organizations are

joint governmental agencies of this state; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harbison of the 15th.

Senators Tarver of the 22nd and Harbison of the 15th offered the following amendment to HB 1067:

by delete at page 2, line 33 after “commission” the words “enable this state to do its part or more in forming a more perfect union”

and insert in lieu thereof the words “represent the interests of the State of Georgia in matters pertaining to interstate relations”

On the adoption of the amendment, the yeas were 18, nays 25, and the Tarver, Harbison amendment was lost.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
N Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	N Miles	Y Thomas,R
Y Douglas	Y Moody	Thompson,C
Y Fort	Y Mullis	E Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
E Harp	Y Seabaugh	Williams
Y Heath	Y Seay	Y Zamarripa
E Henson	Y Shafer,D	

On the passage of the bill, the yeas were 48, nays 2.

HB 1067, having received the requisite constitutional majority, was passed.

HR 1425. By Representatives Wilkinson of the 52nd, Yates of the 73rd, Porter of the 143rd, Reece of the 27th, Cole of the 125th and others:

A RESOLUTION recognizing and commending the United Services Organization on its 65th anniversary; and for other purposes.

Senate Sponsor: Senator Douglas of the 17th.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	E Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
E Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Zamarripa
E Henson	Y Shafer,D	

On the adoption of the resolution, the yeas were 52, nays 0.

HR 1425, having received the requisite constitutional majority, was adopted.

Senator Douglas of the 17th gave notice that at the proper time he would move that the Senate reconsider its action on adopting SR 1189.

Senator Williams of the 19th moved that the Senate adjourn until 9:00 a.m. Thursday, March 16, 2006.

The motion prevailed, and the President announced the Senate adjourned at 12:00 p.m.